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October 9, 2024

By ECF

Honorable Lois Bloom
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza E
Brooklyn, NY, 11201

Re: Harrison v. Correctional Officer Hodge et al.,
96-CV-1465 (PKC) (LB)

Your Honor:

I am a Senior Counsel in the Office of Muriel Goode-Trufant, Acting Corporation Counsel of the City of New York, assigned to the defense of the above referenced matter.¹ I write on behalf of the City of New York to respectfully request an extension of time from October 9, 2024 until November 20, 2024 to respond to the Valentin Order and to provide the service addresses of the individual defendants that Plaintiff seeks to name in his Amended Complaint. (ECF No. 54). The undersigned sincerely apologizes for this late application. This is the City's first request for an extension of time to respond to the Valentin, and this request will not impact any other deadlines. Attempts were made to arrange a legal phone call with the Plaintiff, however, none of the times offered would have allowed for a timely application. As a result, the City was unable to ascertain Plaintiff's position regarding this request.

There are two reasons for seeking an extension of time. First, upon information and belief, all of the individually named defendants are retired City employees. Due to this — and the fact that the incident at issue occurred nearly 30 years ago — ascertaining contact information and the current addresses of the officers has proven difficult. In part, this difficulty is due to the fact that neither the New York Police Department (“NYPD”) nor the Department of Corrections (“DOC”) mandate officers to update their addresses post-retirement. As such, the NYPD has advised that the last addresses that they have on file for Detectives Sanchez and Mulhall are unlikely to be current. Given this, we have been in communication with the NYPD and requested that they (1) reach out the Pensions Department to inquire if it has updated information for either individual; and (2) begin the process of trying to obtain designations on behalf of the retired NYPD defendants to authorize the NYPD's Legal Bureau to act as their agent to accept service of process. While that

¹ This case has been assigned to Assistant Corporation Counsel Michael Futral, who is presently awaiting his results from the July 2024 New York State Bar Exam and is handling this matter under my supervision. Mr. Futral may be reached directly at (212) 356 – 1643 or by email at mifutral@law.nyc.gov.

process is currently underway, obtaining such designations is estimated to take at least two weeks. Similarly, DOC is still working on obtaining the current address for Correction Officer Hodge. As such, this enlargement will provide the necessary time to ascertain the current addresses for those three defendants in order to effectuate service of process.

The second reason for seeking an extension is due to the fact that both the DOC and the NYPD are having difficulty identifying the correct Correction Officer Steward and correct “Detective Sgt.” Kennedy, respectively. The NYPD stated that their database shows approximately 170 Sgt. Kennedys, and the DOC stated that their database shows numerous former employees with the last name Steward. As such, more time is required in order to identify the correct Steward and Kennedy and ascertain their current addresses.

Accordingly, Defendant City respectfully requests that the Court grant an extension of time, from October 9, 2024 until November 20, 2024, in which to provide the current addresses for the defendants named in Plaintiff’s Amended Complaint.

The undersigned once again sincerely apologizes for the late request and thanks the Court for its time and consideration to this matter.

Respectfully submitted,

Joseph Zangrilli /s/

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